

**In the United States Bankruptcy Court
for the Southern District of Texas
Houston Division**

In re:	§	Case No. 23-90005-H2
	§	
Party City Holdco, Inc. <i>et al.</i>	§	
	§	
Debtors	§	Chapter 11

**Response of Betty Bencosme, Diomedes Rodriguez, Daniel Rodriguez and Angel Rodriguez
to the Third Omnibus Objection to Claims filed by The Party City GUC Trust to the
Claims of Betty Bencosme, Diomedes Rodriguez, Daniel Rodriguez and Angel Rodriguez
[Docket #2159 filed on February 14, 2024]**

Betty Bencosme, Diomedes Rodriguez, Daniel Rodriguez, and Angel Rodriguez, individuals with pending wrongful death litigation against certain of the debtors in these bankruptcy cases, file this response to the Third Omnibus Objection of The Party City GUC Trust's to the claims of Betty Bencosme, Diomedes Rodriguez, Daniel Rodriguez, and Angel Rodriguez (the "Plaintiffs") and would show this court as follows:

1. The claims by the Plaintiffs are for the wrongful the death of a minor in New Jersey.
2. Plaintiffs filed claims in cases 23-90005, 23-90009, 23-90010 and 23-90011.
3. Under bankruptcy law, the Plaintiffs have the right to have the personal injury claims tried in state court with a jury.
4. Prior to the confirmation of the chapter 11 plan by the Debtors, the Plaintiffs had an agreement with the Debtors to allow the lawsuits to continue after a certain period of time.
5. The Plaintiffs timely filed all the claims in the bankruptcy cases.
6. Based on the pre-confirmation agreements with the Debtors, the Plaintiffs have the right to continue the pending state court lawsuits against the named defendants.
7. There is no basis to strike any of the claims of the Plaintiffs. To the contrary, all the Plaintiffs claims should remain until the state court litigation has been concluded.

Conclusion

For the reasons stated above, the Plaintiffs object to striking any of their claims.

Certificate of Conference

Movant certifies that on or about March 12 and 13, 2024 the undersigned counsel conferred by telephone and email with counsel for The Party City GUC Trust. No final agreement was reached pertaining the relief requested in this Motion.

Dated: March 14, 2024

Respectfully submitted,

/s/ Reese W. Baker

Reese W. Baker

TX Bar No. 01587700

Nikie Marie López-Pagán

TX Bar No. 24090233

Baker & Associates

950 Echo Ln. Ste. 300

Houston, TX 77024

(713)869-9200

(713)869-9100 Fax

CERTIFICATE OF SERVICE

I certify that on or about March 14, 2024 I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Reese W. Baker

Reese W. Baker